

EXHIBIT W

**TESTIMONY
OF
DONNA M. CHRISTENSEN, MD
STATE CHAIR, DEMOCRATIC PARTY OF THE VIRGIN ISLANDS
TO
THE THIRTY SECOND LEGISLATURE OF THE VIRGIN ISLANDS
OF THE UNITED STATES
MEETING IN COMMITTEE OF THE WHOLE**

JUNE 27,2017

Good afternoon / morning Chairman/President Jackson, officers and members of the 32nd Legislature, audience in the chamber and on the airwaves. Thank you for the opportunity to testify.

I would like to offer testimony from 2 perspectives:

First, as State Chair of the Democratic Party of the Virgin Islands, on behalf of the Party, and Second, as someone who has known and worked with Senator-Elect Kevin Rodriguez:

On behalf of the Party, we have always taken the position that Mr Rodriguez met all of the qualifications to be seated as a senator in the 32nd Legislature, and once the Legislature was sworn in, that any question raised about his qualifications was a matter to be decided by the legislature as prescribed by the Organic Act of 1954. In fact the position of the Party is that he should have been sworn in before this hearing. With all of the cases in local courts being dismissed, there is no standing injunction against his being sworn in. We also take the position that no vacancy exists until the Legislature so determines.

(FROM THE ORGANIC ACT OF 1954: "*The Legislature shall be the sole judge of the election and qualifications of its members*")

Our position is supported by the decision of the Supervisor of Elections that Kevin Rodriguez met the requirements to be a candidate for the Legislature of the Virgin Islands..

Much has been made of the fact that he filed his taxes for the 2 years preceding and that year in 2016. Whatever the reason, or even if it was just to make sure that he would have been up to date in his filings, he did not file anywhere else. They were filed in the USVI. When they were filed does not negate that fact.

I recognize that all that has taken place in the Superior, Supreme and District Courts have been dismissed and so I only make the following references to them to bolster our position.

Page 2. TESTIMONY, DONNA M. CHRISTENSEN, JUNE 27, 2017

In the first instance, the Superior Court, based on all of the testimony before it, on January 4, 2017 found that Mr Rodriguez met the 3 year residency requirement.

Secondly, the Supreme Court in remanding the case back to the Superior Court on January 8, 2017, in one of its footnotes directed that the first thing the Superior Court needed to decide was whether it still had jurisdiction after the 32nd Legislature had been sworn in. To my reading, that suggested that the highest court in the Territory recognized that, once convened, the Legislature was the proper and only entity to decide Kevin's eligibility to be a member of the 32nd Legislature.

(SUPREME COURT'S FOOTNOTE: "*if the Superior Court is unable to resolve all aspects of this case on remand before the swearing in of the 32nd Legislature, we find it appropriate for the Superior Court to determine, in the first instance, whether the circumstances of this case warrant abdicating its continuing jurisdiction*")

Although the District Court's opinion is more complex, to me it basically said there were two remedies, one in the Legislature and another by the Governor and that as a third co-equal branch, it was not going to tell the Legislature what to do.

Although several segments of the Democratic Party weighed in while the matter was before the Courts, in deference to the Courts, as State Chair I did not. It was immediately after the District Court's decision - which came late on the very last day for the Legislature to act - that I, on behalf of the Party, called on the Legislature to immediately exercise its authority, rather than subjugate it to that of the governor, and to immediately swear in Senator-Elect Rodriguez.

Therefore Senators, as the governing body of the Democratic Party of the Virgin Islands, our position on behalf of a duly elected candidate to the 32nd Legislature who ran under our Party's banner, has been consistent throughout: Senator-Elect Kevin Rodriguez should be sworn in and take his seat in the 32nd Legislature.

I would like to add two more points:

1. In our opinion, Estoppel is a legal matter, properly heard and relied on by the courts. Today the decision is not before a court of law., and
2. I offer a response to a question posed on the internet, "Does one need to be a resident of Tennessee to file for bankruptcy?" The response stated that the person filing only has to have been in the state for 90 days prior to filing. Senator-elect Rodriguez will put the facts of his residency before you, but surely, being out of the Virgin Islands for 90 days would not constitute a change of residency.

Page 3. TESTIMONY, DONNA M. CHRISTENSEN, JUNE 27, 2017

While the letter of invitation stated that all of Senator Elect Rodriguez's qualifications are being reviewed by this Body, we know he has met the age requirement of 21", he has been determined to be a qualified voter in the Virgin Islands and he has not been convicted of a felony or a crime of moral turpitude, the only question to be answered is one of residency - did he live here for 3 years before the election, nothing else!

When all the testimony is heard, we feel confident that you will find that he did.

If I may move on to my personal knowledge of Kevin, with respect to the question before you - his residency.

I have known Kevin for about 20 years. He has worked on my campaigns, we both campaigned for Hillary in 2008, he has participated in many Democratic Party events over the years and I may have had occasion to interact with him when he was Director of Personnel or when he worked at HOPE, although I don't have any recollection of any specific meetings.

I do recall that sometime in 2013 he approached me (in the Virgin Islands) about running my campaign for governor. But he needed to be paid and we could not meet the salary he asked. He then went to work on Stacey Plaskett's Congressional campaign, but eventually also began to assist with mine in early 2014.

In addition, in 2013 I sponsored three individuals to the Congressional Black Caucus Institute's (CBCI) Political Boot Camp. Kevin was one of them. The other two were Andrea Freeman and Peter Abrahams. Robert Boschulte, from my then office and a former boot camp attendee was also there as a counselor at the invitation of CBCI.

I hope this added to the other testimonies on Senator-Elect Kevin Rodriguez will help to demonstrate that has met the residency requirement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donna M. Christensen", written in a cursive style.

Donna M. Christensen, MD
State Chair, Democratic Party of the Virgin Islands